

Federal Defenders
OF NEW YORK, INC.

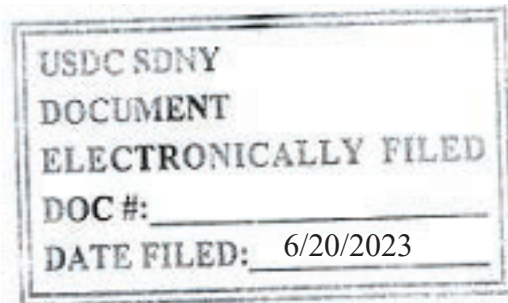
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June 14, 2023

The Honorable Nelson S. Román
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601



Re: **United States v. Miguel Abreu**
23-Cr-00067 (NSR)

Dear Honorable Román:

I am writing to ask that Your Honor temporarily modify the terms of Mr. Abreu's release by temporarily removing Mr. Abreu's curfew and temporarily modifying his travel restrictions to allow him to travel to New Jersey at the end of July. The purpose of this request is to allow Mr. Abreu to attend a family reunion in Atlantic City, New Jersey. If approved, Mr. Abreu would leave his home on July 28, 2023 and travel to Atlantic City, New Jersey. He would stay at a hotel until August 2, 2023,¹ at which point he'd return to his home in New York.

I have communicated with Supervisory US Pretrial Services Officer Cynthia Labrovic Diaco, and she objects to this request because "this appears to be a social family event/vacation which defeats the purpose of location monitoring curfew. The prior trips did not fall under this category and we had no objection as they were deemed non-recreational." AUSA Kingdar Prussien agrees with Pretrial and objects to this familial trip.

While I do not dispute that this trip is recreational and familial in nature, I nonetheless believe that this temporary modification should be approved. Mr. Abreu has been on pretrial supervision for nearly a year and has been fully compliant with the terms of his release, including a curfew that has been enforced by location monitoring.² As Your Honor is well aware, bail restrictions are designed to either protect the community or to ensure that a defendant returns to court, and such restrictions must be tailored to the "least strictive" conditions that reasonably meet these goals. *See* 18 U.S.C. § 3142(c)(B). There is no reason to believe that this five-day trip to New Jersey for a family reunion would endanger the community or would result in Mr. Abreu's absence in Court. I have confirmed that Mr. Abreu's GPS monitoring would be

¹ Mr. Abreu has not yet booked a hotel room, but if this trip is approved, he would, of course, apprise Pretrial of the exact location where he'd be staying and the exact time he'd be leaving, and returning to, New York.

² On June 9, 2023, Supervisory US Pretrial Services Officer Cynthia Labrovic Diaco confirmed to me that Mr. Abreu has been compliant with the terms of his release.

functional in New Jersey, and Mr. Abreu has – without incident – made a similar trip to Virginia.³ As such, this proposed and temporary modification should be approved.

Thank you for your consideration of this request.

Sincerely,

/s/

Benjamin Gold
Assistant Federal Defender

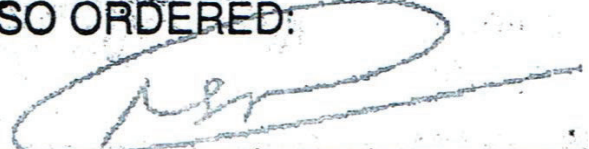
cc: A.U.S.A Kingdar Prussien
Supervisory US Pretrial Services Officer Cynthia Labrovic Diaco

Deft's application seeking to temporarily remove Mr. Abreu's curfew and to temporarily modify his travel restrictions to travel to New Jersey to attend a family reunion is DENIED as both AUSA Kingdar Prussien and Supervisory U.S. Pretrial Services Officer Cynthia Labrovic Diaco object to this familial trip. Clerk of Court is requested to terminate the motion at ECF No. 34.

Dated: White Plains, NY

June 20, 2023

SO ORDERED:


**HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE**

³ In that case, Mr. Abreu asked the Honorable Andrew Krause for permission to travel to Virginia between January 27, 2023 and January 27, 2023 to help his romantic partner look for a new home. See ECF Entry # 26.